

Clean Water Act § 303(d) Lists



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Section 303(d) of the Clean Water Act

- States, territories, and authorized tribes are required to:
 - Identify waters not meeting water quality standards
 - Establish priority ranking of waters on the list for Total Maximum Daily Load (TMDL) development
 - Develop a TMDL for each pollutant for each listed water
- No statutory or regulatory timeframe for TMDL development
 - EPA guidance established 8-13 year time frame

Section 303(d) of the Clean Water Act

- Listing cycle
 - *Should* be submitted to EPA on April 1 in every even numbered year, however, usually takes 4 years for California to develop and submit their lists
- Methodology used to develop list
 - States use “all existing and readily available water quality-related information”
 - If EPA asks, States must provide “good cause” for not including a water on the list.
- Public review is required

EPA Action on 303(d) Lists

- Approve the list
- Disapprove the list, and establish a new one within 30 days
- Partially approve and partially disapprove the list thereby adding any omitted waters
 - If EPA adds waters or pollutants, EPA invites public comment on those decisions and may revise decisions

Five Integrated Reporting Categories

Category	Description
1	All designated uses (DU) met
2	Some, but not all, DUs met
3	Can't determine if any DUs met
4	<u>Impaired/threatened</u> –TMDL not needed
4a	TMDL completed
4b	TMDL alternative = other regulatory program
4c	Non-pollutant causes
5	<u>Impaired/threatened</u> by pollutant –TMDL needed (a.k.a. the “303(d) List”, CA also includes Category 4)

4c – non CWA pollutant

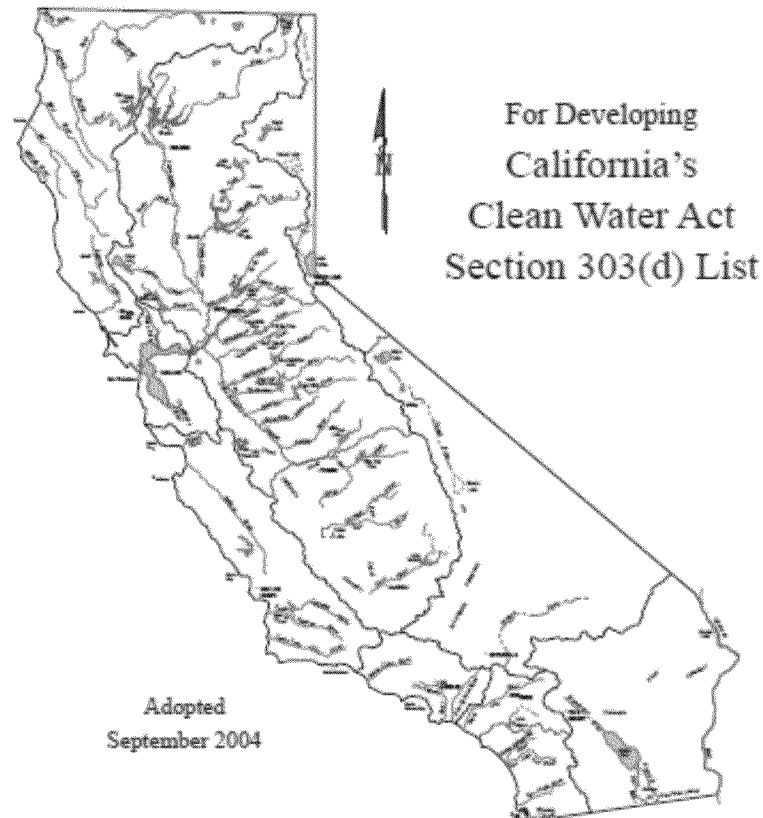
Segments should be in Category 4c when the failure to meet WQSs is not caused by a pollutant, but instead is caused by other types of pollution.

- Pollution, as defined by the CWA is “the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water” (section 502(19)). In some cases, the pollution is caused by the presence of a pollutant and a TMDL is required. In other cases, pollution does not result from a pollutant and a TMDL is not required.

California follows
their Listing Policy
when making
assessment
decisions

http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml

Water Quality Control Policy



Water Boards

STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

A grayscale map of California and its surrounding regions. Major cities are marked with dots and labeled, including Sacramento, San Francisco, San Jose, Fresno, Los Angeles, and San Diego. The map also shows state boundaries with neighboring states like Oregon, Nevada, and Arizona, and Mexico to the south. The title 'California's Impaired Waters' is overlaid on the map.

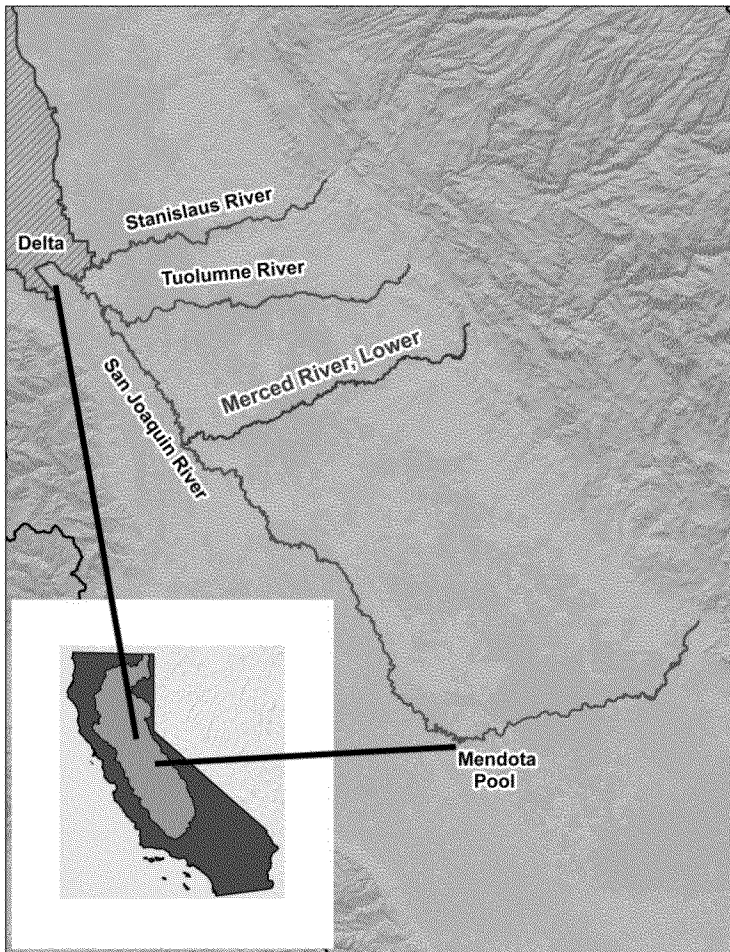
California's Impaired Waters

~1,000 water bodies and over 2,800 water body pollutant combinations require a TMDL

10% increase in river miles and 4% decrease in river miles compared to prior list

San Joaquin River Basin

303(d) Listings

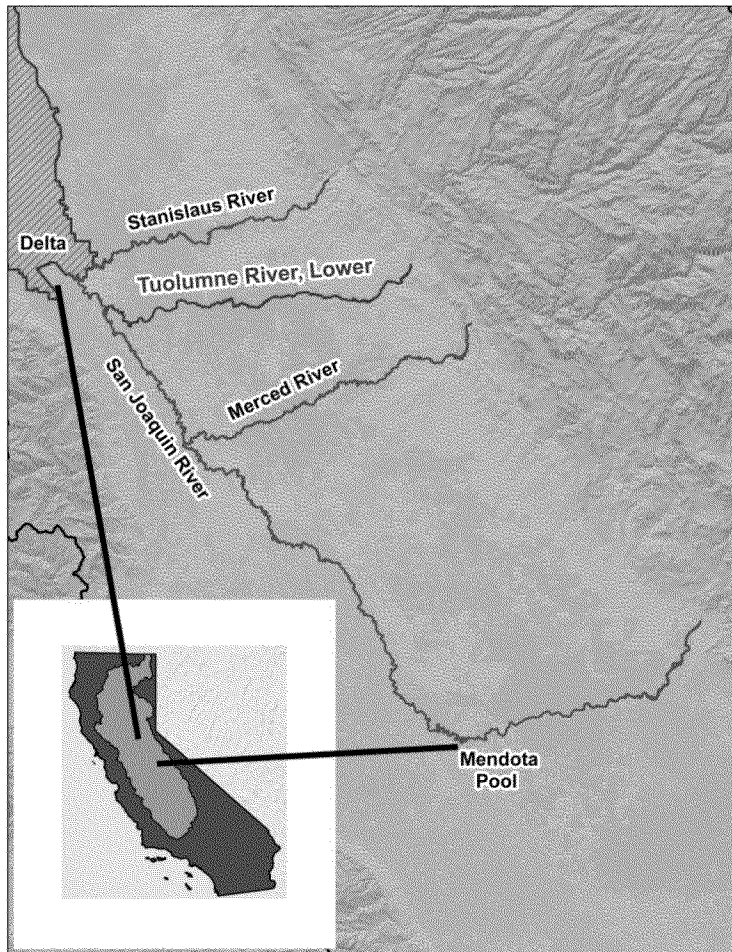


Merced River, Lower (McSwain Reservoir to San Joaquin River)

- Chlorpyrifos**
- Diazinon**
- Escherichia coli (E. coli)
- Group A Pesticides
- Mercury
- Temperature
- Unknown Toxicity

San Joaquin River Basin

303(d) Listings

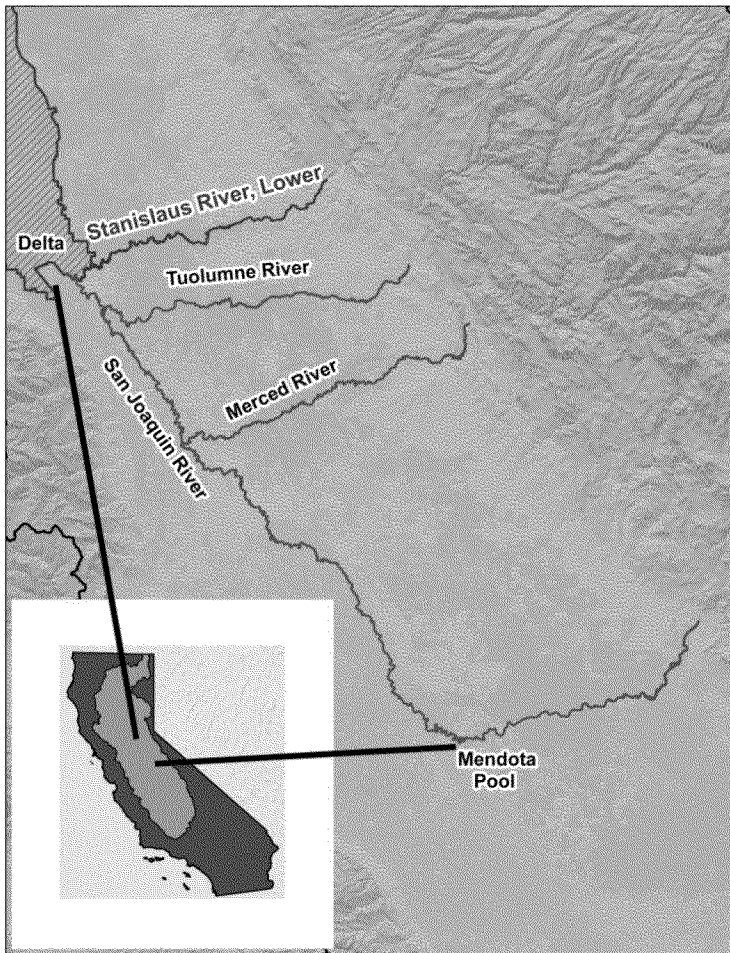


Tuolumne River, Lower (Don Pedro Reservoir to San Joaquin River)

- Chlorpyrifos**
- Diazinon**
- Group A Pesticides
- Mercury
- Temperature
- Unknown Toxicity

San Joaquin River Basin

303(d) Listings

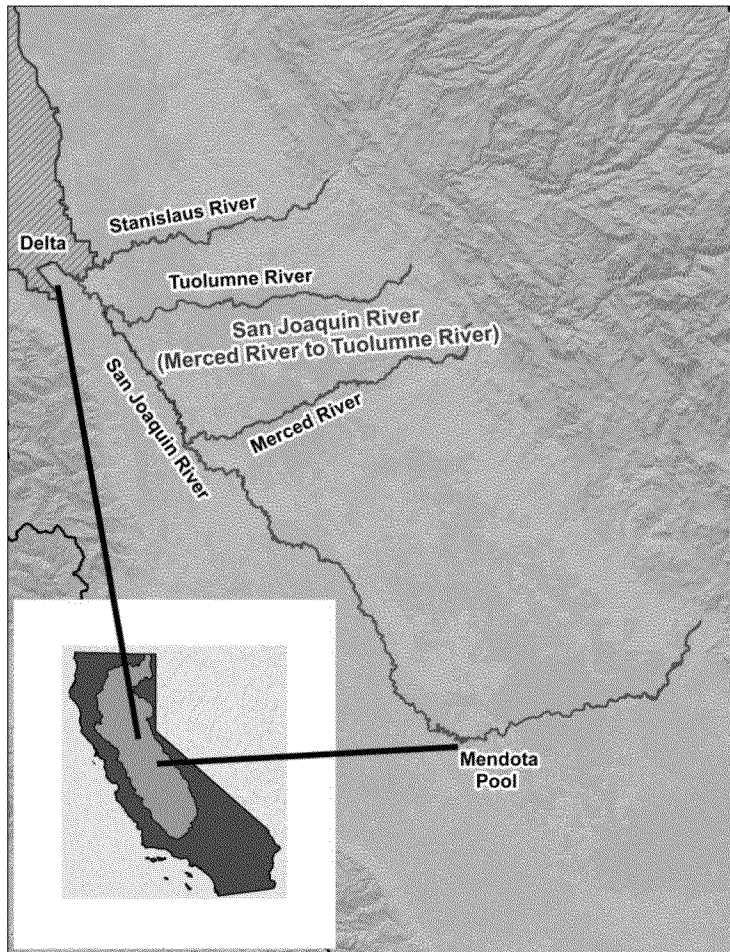


Stanislaus River, Lower

- Chlorpyrifos**
- Diazinon**
- Group A Pesticides
- Mercury
- Temperature
- Unknown Toxicity

San Joaquin River Basin

303(d) Listings



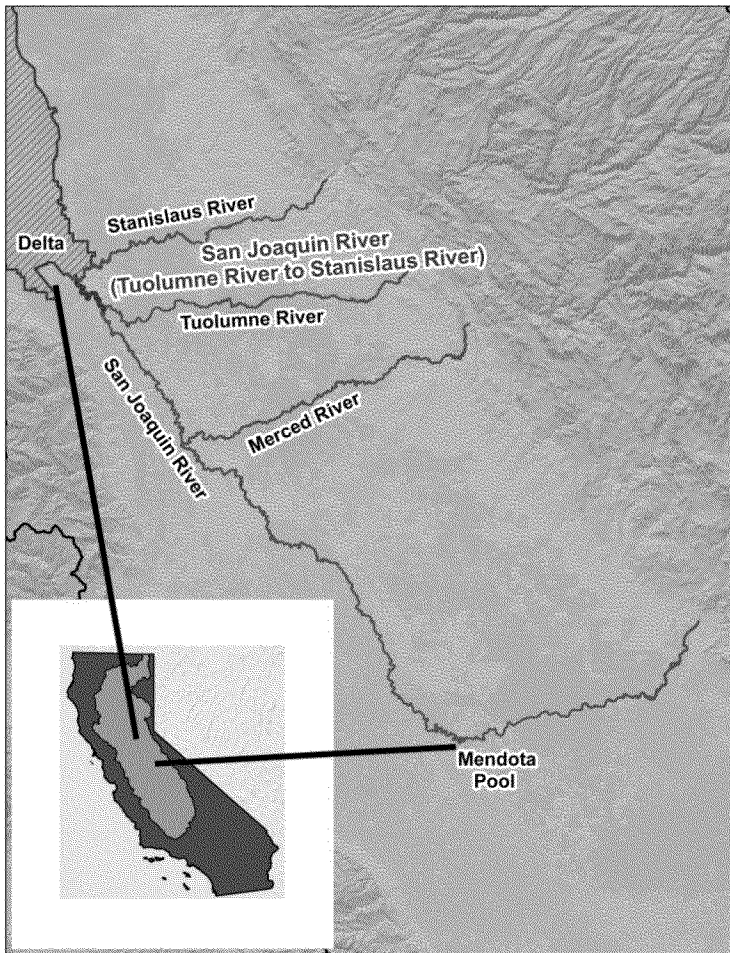
San Joaquin River

(Merced River to Tuolumne River)

- Boron
- Chlorpyrifos*
- DDE
- DDT
- Electrical Conductivity
- Group A Pesticides
- Mercury
- Temperature
- Unknown Toxicity
- alpha-BHC (alpha-HCH)

San Joaquin River Basin

303(d) Listings



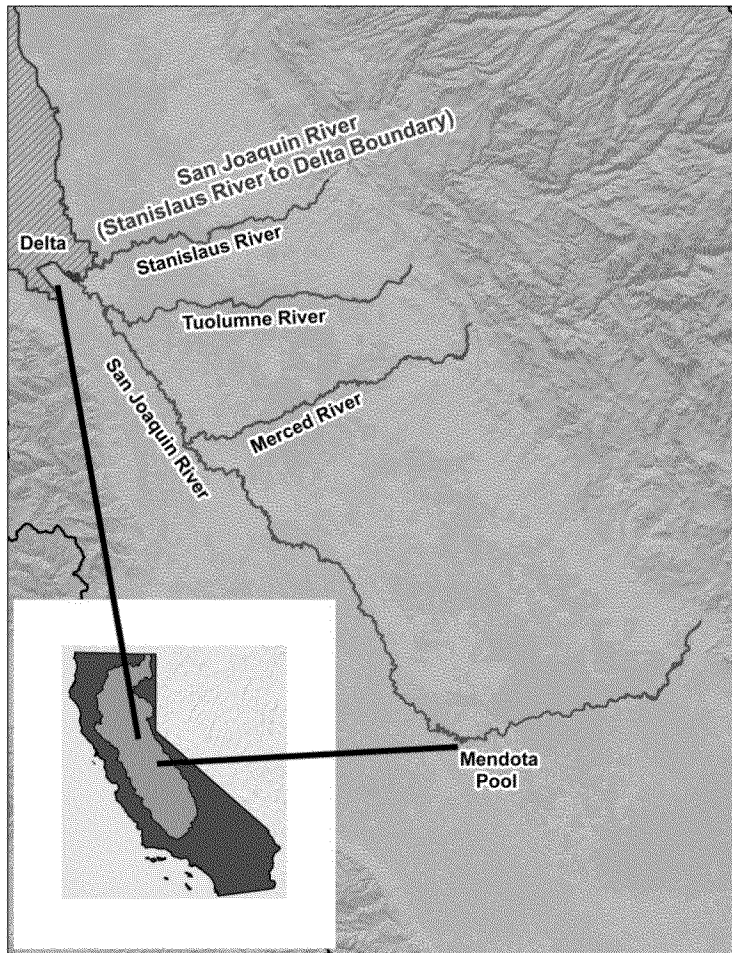
San Joaquin River

(Tuolumne River to Stanislaus River)

- Chlorpyrifos*
- DDT (Dichlorodiphenyltrichloroethane)
- Diazinon*
- Electrical Conductivity
- Group A Pesticides
- Mercury
- Temperature
- Unknown Toxicity

San Joaquin River Basin

303(d) Listings



San Joaquin River

(Stanislaus River to Delta Boundary)

- Chlorpyrifos*
- DDE
- DDT
- Diuron**
- Electrical Conductivity*
- Escherichia coli (E. coli)
- Group A Pesticides
- Mercury
- Temperature
- Toxaphene
- Unknown Toxicity